

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GENENTECH, INC., and CITY OF HOPE)	
)	
Plaintiffs,)	
)	C.A. No. 17-1407-CFC
v.)	(Consolidated)
)	
AMGEN INC.)	
)	
Defendant.)	
)	

**STIPULATION AND [PROPOSED] ORDER
MODIFYING CASE SCHEDULING ORDER**

WHEREAS the ransomware attack on Epiq continues to limit Amgen's access to documents produced in this case;

WHEREAS the President has declared a national emergency with respect to the outbreak of COVID-19;

WHEREAS the parties and their counsel have analyzed the extent of disruption caused by the national emergency and the need to work remotely;

WHEREAS the parties have conferred extensively about the effect of these extraordinary circumstances upon the case's schedule; and

WHEREAS the parties have reached agreement on the proposed extension of certain deadlines in this case that will not impact the filing of the pretrial order and preserve the scheduled dates for the pretrial conference or trial;

WHEREAS the parties' proposed schedule modifies the summary judgment deadlines but maintains several months between the completion of any permitted briefing and the pretrial conference;

IT IS HEREBY STIPULATED AND AGREED, subject to the Court's approval,
that the following deadlines are extended pursuant to the table below:

Event	Current Deadline	New Deadline
Opening Expert Reports	3/19/2020	4/9/2020
Rebuttal Expert Reports	5/12/2020	6/2/2020
Reply Expert Reports	6/2/2020	6/23/2020
Close of Expert Discovery	7/10/2020	8/7/2020
If Court allows SJ motions, Opening Briefs	7/17/2020	8/14/2020
If Court allows SJ motions, Opposition Briefs	7/31/2020	8/28/2020
If Court allows SJ motions, Reply Briefs	8/7/2020	9/4/2020
Joint Proposed Pretrial Order	9/29/2020	(unchanged)
Pretrial Conference	11/19/2020	(unchanged)
Trial	11/30/2020	(unchanged)

MCCARTER & ENGLISH, LLP

/s/ Daniel M. Silver

Michael P. Kelly (No. 2295)
Daniel M. Silver (No. 4758)
Alexandra M. Joyce (No. 6423)
Renaissance Centre
405 N. King Street, 8th Floor
Wilmington, DE 19801
(302) 984-6300
mkelly@mccarter.com
dsilver@mccarter.com
ajoyce@mccarter.com

YOUNG CONAWAY STARGATT &
TAYLOR, LLP

/s/ James L. Higgins

Melanie K. Sharp (No. 2501)
James L. Higgins (No. 5021)
1000 North King Street
Wilmington, DE 19801
(302) 571-6600
msharp@ycst.com
jhiggins@ycst.com

*Attorneys for Genentech, Inc. and City of
Hope*

WILLIAMS & CONNOLLY LLP

Paul B. Gaffney
David I. Berl
Thomas S. Fletcher
Kyle E. Thomason
Teagan J. Gregory
C. Luke McCloud
Kathryn S. Kayali
Jonathan S. Sidhu
D. Shayon Ghosh
Jinyuan Luo
Sumeet P. Dang
William F. Hawkins

725 Twelfth St. NW
Washington, DC 20005
(202) 434-5000

Attorneys for Genentech, Inc.

DURIE TANGRI

Daralyn J. Durie
Adam R. Brausa
David F. McGowan
Eneda Hoxha
Eric C. Wiener
217 Leidesdorff Street
San Francisco, CA 94111
(415) 362-6666

*Attorneys for Genentech, Inc. and City of
Hope*

Siegmund Y. Gutman
Amir Naini
PROSKAUER ROSE LLP
2029 Century Park East, Suite 2400
Los Angeles, CA 90067-3010
(310) 557-2900

Steven M. Bauer
Gourdin W. Sirles
PROSKAUER ROSE LLP
One International Place
Boston, MA 02110
(617) 526-9600

Attorneys for Amgen Inc.

IT IS SO ORDERED, this ____ day of _____, 2020.

United States District Judge